IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revision No. 810 of 2006.
Date of Decision: February 06, 2007.

Kul Bhushan Mittal

....**Petitioner**

through
Mr. Gaurav Mohunta, Advocate

Versus

State of Haryana & Ors.

...**Respondents**
through
Mr. R.D.Sharma, DAG, Haryana.

CORAM:

HON'BLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

This revision petition is directed against the order dated 26.10.2005 passed by the learned Additional Sessions Judge, Sirsa whereby charges have been framed against the petitioner.

After hearing learned counsel for the parties and having regard to the scope of interference by this Court in exercise of its powers under Section 482 Cr.P.C. in such like matters as also in view of the fact that the petitioner has an effective remedy to raise all the pleas before the learned trial Court, no interference in the impugned order is called for.

Consequently, this petition is disposed of with liberty to the petitioner to raise all the pleas before the learned trial Court at an appropriate stage, which shall be gone into in accordance with law.

However, having regard to all the attending circumstances of the case as also keeping in view the fact that the petitioner is a Government servant, it is directed that if the petitioner seeks his exemption from personal appearance by moving an appropriate application before the learned trial Court, he shall be granted the same, however, subject to the conditions that he (i) shall be represented by a counsel before learned Judicial Magistrate; (ii) shall not dispute his identity as accused; (iii) shall have no objection if the evidence is recorded in his absence; (iv) shall come present before the learned trial Court as and when required and (v) shall comply with any other condition(s) that may be imposed by the learned trial Court.

Disposed of.

February 06, 2007. **(SURYA KANT)**
dinesh **JUDGE**